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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,166	03/12/2004	Christoph H. Krah	APL1P304/P3265	9053
22434	7590	05/17/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			DUONG, HUNG V	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	

2835

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,166

Applicant(s)

KRAH, CHRISTOPH H.

Examiner

Hung v. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 20-23 is/are rejected.
- 7) ☐ Claim(s) 15-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/18/04.

- 4) ☐ Interview Summary (PTO-413) **HUNG VAN DUONG**
Paper No(s)/Mail Date. ____ **PRIMARY EXAMINER**
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al (US Pat. 6,243,819).

Regarding claims 22-23, Kim et al disclose a monitor, comprising: a display housing 37, a display 35 coupled to the display housing 37; and a camera 45 coupled to the display housing 37 wherein the camera 45 is disposed inside a camera housing 40 that is movably coupled to the display housing.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung (US Pat. 6,496,361) in view of Kim (US Pat. 6,118,653).

Regarding claims 1-6, 8-14 Jung discloses a portable computer, comprising: a base 12; a lid 14 that pivots relative to the base 12; and a latch 34, 36, 37 configured to secure the lid 14 to the base 12, the latch 34, 36, 37 including a slider switch 40 for disengaging the locking feature from the base 12 wherein the latch 34, 36, 37 is configured to move relative to the lid 14 wherein the latch 34, 36, 37 pivots, swivels or translates relative to the lid 14 wherein the latch 34, 36, 37 is detachable from the lid 14 wherein the lid 14 pivots between an open position, placing the lid 14 away from the base 12, and a closed position placing the lid 14 next to the base 12, and wherein the base 12 includes a latch receiving area that is cooperatively positioned with the latch so that when the lid 14 is closed the latch and latch receiving area engage one another thus securing the lid 14 to the base 12 wherein the latch and latch receiving area include locking features that lockably engage with one another when the latch is positioned adjacent the latch receiving area, and wherein the latch or latch receiving area includes an actuator for disengaging the locking features wherein the lid 14 includes an LCD 38 that is surrounded at its periphery by a bezel, and wherein the latch is attached to the bezel wherein the latch is configured to mate with a cut-out in the base 12 in order to secure the lid to the base wherein the locking feature is a hook that is configured to capture a plunger attached to the base and located in the cut-out.

Jung fails to disclose the latch including a data capture device. However, Kim discloses the latch including a data capture device 40 (see figure 2). Therefore, it would

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be obvious to one of ordinary skill to modify the latch including a data capture device of Kim's latch into Jung's latch in order to capture image data.

5. Claims 7, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung (US Pat. 6,496,361) in view of Kim (US Pat. 6,118,653) and further in view of Homer et al (US Pat. 6,788,529).

Regarding claims 7, 20-21, Jung and Kim et al discloses all the subject matter of the claimed invention except for a light source is a light emitting diode, the latch includes one or more indicator. However Homer et al disclose a light source is a light emitting diode; the latch includes one or more indicator (see column 3, lines 5-15). Therefore, it would be obvious to one of ordinary skill to modify a light source (LED) of Homer et al's display into Jung and Kim et al's display in order to improve the vision of the display and to indicate intention.

Allowable Subject Matter

6. Claims 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that a positioning device for controlling the rotation of the latch about its axis or that the latch is automatically positioned in a home position when the lid is positioned in an open position, and wherein the latch is automatically positioned in a

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lock position when the lid is positioned in a closed position or that the positioning device includes a latch tilting mechanism configured to convert the rotation of the lid about its axis to rotation of the latch about its axis.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Liao et al (US Pat. 6,462,937) teach computer having an integrated gaming control pad.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung v Duong whose telephone number is 571-272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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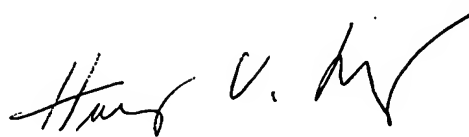
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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVD

05/12/05.

A handwritten signature in black ink, appearing to read "Hung V. Duong", with a large checkmark-like flourish at the end.

Hung Duong
Primary Examiner.